



Docket No. 731260-12

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT application of ) **Box Missing Parts**  
Peter T. BIANCO et al. )  
Application No. 09/884,478 ) Group Art Unit: 2166  
Filed: June 20, 2001 ) Examiner: Unassigned  
For: ELECTRONIC PATIENT )  
HEALTHCARE SYSTEM )  
AND METHOD ) Date: February 15, 2002

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION FILED  
UNDER 37 CFR 1.53(b) – FILING DATE GRANTED**

*PATENT* Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Nonprovisional Application dated August 15, 2001, submitted herewith are the following items for filing in the above-referenced application:

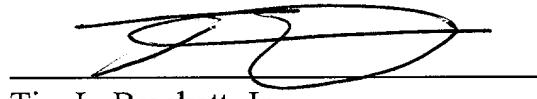
1. Petition for Extension of Time (Four Month)
2. Copy of Notice to File Missing Parts of Nonprovisional Application
3. Statutory Basic Filing Fee and Surcharge
4. Declaration and Power of Attorney (12 Documents)
5. Substitute Drawings in compliance with 37 CFR 1.84
6. Application Data Sheet
7. Request for Corrected Filing Receipt
8. Preliminary Amendment
9. Notice to Inventor – Duty of Disclosure and Inventorship (12 Documents)

10. Information Disclosure Statement and Form PTO-1449 with references
11. A check in the amount of \$1,233.00 to cover the filing fee, surcharge, and extension fee.

All formal requirements now having been met, it is requested that a Corrected Official Filing Receipt be issued.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 19-2380 (731260-12). A duplicate of this paper is attached.

Respectfully submitted,



\_\_\_\_\_  
Tim L. Brackett, Jr.  
Registration No. 36,092

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8180 Greensboro Drive, Suite 800  
McLean, Virginia 22102  
(703) 790-9110  
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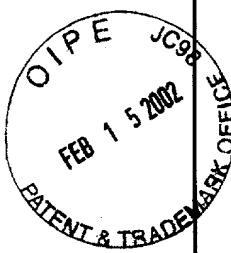
Please type a plus sign (+) inside this box → [+]

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/884,478
		Filing Date	June 20, 2001
		First Named Inventor	Peter T. BIANCO
		Group Art Unit	2166
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	731260-12

### ENCLOSURES *(check all that apply)*

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Preliminary Amendment Application Data Sheet Request for Corrected Filing Receipt Duty of Disclosure and Inventorship
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Tim L. Brackett, Jr., Esq. Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22012
Signature	
Date	February 15, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name		
Signature	Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/884,478	06/20/2001	Peter T. Bianco	731260-12

22204  
NIXON PEABODY, LLP  
8180 GREENSBORO DRIVE  
SUITE 800  
MCLEAN, VA 22102

CONFIRMATION NO. 9571  
FORMALITIES LETTER



\*OC000000006423973\*

Date Mailed: 08/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

#### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$67.
  - \$27 for 3 total claims over 20.
  - \$40 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 487.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

02/20/2002 (CHAM) 00000045 09004476  
02 FD-301 02 FD-203 04 FD-202 05 FD-205

*A copy of this notice **MUST** be returned with the reply.*

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## Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

D. G. ELLIOTT AND R. J. HEDDERLEY